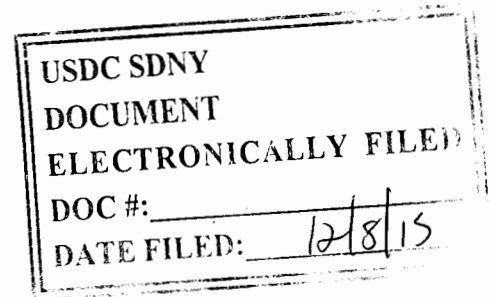


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December 7, 2015

BY ECF

Hon. Colleen McMahon, U.S.D.
United States District Court
Southern District of New York
500 Pearl Street, Room 1640
New York, New York 10007

MEMO ENDORSED

Re: *Gutierrez v. BLCH 3rd Ave. LLC, et al.*
Case No. 15-CV-5053 (CM) (KNF)

Dear Judge McMahon,

We are counsel to the plaintiff in the above-referenced matter. An initial pretrial conference is scheduled before Your Honor on Friday, December 11, 2015 at 10:15 a.m. Please accept this letter as plaintiff's request to appear by telephone.

Defense counsel, Nitin Kaushik, Esq., has advised us that he is currently in India presiding over some family matters, but that he is continuing to work on his cases from overseas. Consequently, Mr. Kaushik plans to attend the conference by telephone to which we have no objection. In light thereof, it is respectfully requested that our office be permitted to appear by telephone as well. Mr. Kaushik consents to this request.

We thank the Court for considering this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Justin Cilenti".

Justin Cilenti

JC/tc

cc: Nitin Kaushik, Esq. (by email)

Handwritten initials "OK" and a signature that appears to be "Colleen McMahon". Below the signature is the date "12/8/15".